

Message Text

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PAGE 01 LONDON 04646 211626Z
ACTION L-03

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-----211629Z 025790 /46

O 211618Z MAR 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 1763

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E.O. 11652:N/A
TAGS: CPRS, PFOR, UK
SUBJECT: EXTRADITION: ARTHUR J. SIMPSON

REF: STATE 40632

EMBASSY HAS RECEIVED FOLLOWING LETTER FROM THE OFFICE OF
THE DIRECTOR OF PUBLIC PROSECUTIONS:

"THANK YOU VERY MUCH FOR THE FURTHER PAPERS WHICH YOU
SENT TO MY REPRESENTATIVE, MR. KEW, AND WHICH HAVE NOW
BEEN CONSIDERED.

"MY VIEWS ARE AS FOLLOWS:-

MURDER: THIS NOW APPEARS TO BE IN ORDER BUT AS MR. KEW
POINTED OUT IN HIS LETTER OF 19TH AUGUST, 1976 TO JOHN
DEGAN LT. BORDINE MUST SWEAR AN AFFIDAVIT IDENTIFYING THE
BODY OF THE DECEASED TO DR. HENDRIX. THE PRESENT
EVIDENCE OF IDENTIFICATION GIVEN BY DR. HENDRIX IS HEAR-
SAY AND NOT ADMISSIBLE IN OUR COURTS.

"IN ADDITION IT IS DESIRABLE TO HAVE BETTER EVIDENCE THAT
THE CRIME OF MURDER IS A FELONY IN AMERICAN LAW. FOR
CONVENIENCE SAKE IT MAY BE THAT LT. BORDINE CAN COVER
THIS IN HIS AFFIDAVIT OF IDENTIFICATION.

BURGLARY: A WARRANT OF ARREST FOR THIS OFFENCE HAS STILL
NOT BEEN SUPPLIED AND THIS SHOULD BE DONE AS SOON AS
POSSIBLE.

"FURTHER THE EVIDENCE OF THIS OFFENCE WHICH HAS NOW

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BEEN SUPPLIED IS IN THE FORM OF A TRANSCRIPT OF EVIDENCE
TAKEN IN PRELIMINARY AMERICAN PROCEEDINGS.

"THIS DEPARTMENT HAS ALWAYS ADVISED THAT SUCH EVIDENCE
IS UNDESIRABLE SINCE IT IS OF DOUBTFUL ADMISSIBILITY IN
ENGLISH LAW.

"TO PUT THE MATTER BEYOND DOUBT AUTHENTICATED AFFIDAVITS
SHOULD ALWAYS BE SUPPLIED.

"IN CASE THE QUESTION OF THE ADMISSIBILITY OF THE TRANSCRIPTS HAS TO BE ARGUED IN THE COURTS HERE I SHALL BE GRATEFUL TO KNOW WHETHER IN THE AMERICAN PROCEEDINGS THE WITNESSES ACTUALLY SIGN THE TRANSCRIPTS OF THEIR TESTIMONIES OR ARE NORMALLY AFFORDED ANY OPPORTUNITY OF CHECKING THEIR ACCURACY.

"I SUSPECT THAT THE EVIDENCE IS TAKEN DOWN BY SHORTHAND OR ON A MACHINE AND LATER TRANSCRIBED INTO TYPE BUT PERHAPS THIS COULD ALSO BE CONFIRMED.

"SUBJECT TO THESE POINTS THE CASE NOW SEEMS TO BE IN ORDER SO FAR AS I AM CONCERNED. I SHALL BE GRATEFUL IF YOU COULD OBTAIN FOUR FURTHER SETS OF THESE PAPERS FOR THE USE OF COUNSEL, THE DEFENCE AND AS A WORKING COPY FOR THE COURT.

"PLEASE DO NOT HESITATE TO CONTACT MR OR MR. KEW IF YOU REQUIRE ANY CLARIFICATION OF THE ABOVE MATTERS."

DPP HAS REQUESTED THREE ADDITIONAL COPIES OF THE TRANSCRIPT OF EVIDENCE. COPY RECEIVED NOT SUITABLE FOR REPRODUCTION.

SPIERS

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
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Sent Date: 21-Mar-1977 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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TAGS: CPRS, PFOR, UK, US, (SIMPSON, ARTHUR J)
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